

## Construction Litigation

Breach of contract and fraud dispute arising from construction of vegetable oil processing plant.

***Bridgestone Firestone.*** Dispute over cost to construct latex, hard rubber, and shipping container facilities in Liberia.

***City of Hamilton, Ohio.*** Disputes relating to the construction and renovation of city hydroelectric facility and wastewater treatment plant.

***Ethanol Plant Explosion.*** Dispute between plant owner and design-build contractor concerning propriety of new ethanol manufacturing technology and its connection to a major explosion leading to substantial property damage and loss of life. Required detailed cause and origin engineering analysis and testing.

***Ethanol Plant Explosion (another).*** Explosion of boiler in new ethanol distillation line under construction. Required engineering analysis, detailed understanding of the contractual rights and obligations of the parties, as well as the scope of available remedies for losses occurring during construction.

***Dallas Mansion Fire.*** Dispute over alleged construction defects leading to destruction of \$45 million mansion.

***Roof Failure at Target Store.*** Dispute over failure of membrane roof during thunderstorm allegedly due to construction defects.

***Cement Unloader Collapse at Dock Terminal.*** Dispute over cause of structural collapse of a trolley mounted cement unloader.

***Warehouse Roof Collapse.*** Dispute over roof collapse failure in high winds allegedly due to construction defects.

***Occidental Chemicals Turbine Failure.*** Dispute over failure of large steam turbine in chemical plant allegedly due to exposure to high concentrations of caustic introduced by steam supplier.

***Equistar Compressor Failures.*** Dispute over repeated failures of open faced compressor impellers allegedly due to acoustic resonance and defective welding.

***Atofina Plant Fire.*** Dispute over failure of fire suppression system at chemical plant allegedly due to installation of defective components, improper testing procedures, and improper testing and inspection.

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***Flooding of Guardian Manufacturing Facility.*** Dispute over flooding of plant building allegedly due to improper repair techniques used by general contractor and roofing contractor.

***Investigations of power plant outages in Texas and Oklahoma.*** Oversaw cause and origin studies for equipment failures and fires in generation facilities in Texas and Oklahoma.

***Bear Dredging.*** Dispute over bid changes on Mobile Bay dredging project.

***TRW.*** Protest over award of government construction project to Bechtel for nuclear waste repository.



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Partners

- Kerry K. Brown
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- Rolf E. Gilbertson
- Lawrence T. Hofmann
- Daniel S. Mason
- Patricia St. Peter
- John C. Steele
- Karl S. Vasiloff
- Richard L. Voelbel

## Director & Officer Litigation

Zelle Hofmann handles the full spectrum of D&O and E&O disputes. Zelle Hofmann attorneys have handled claims ranging from attorney, accounting, medical, and other professionals' malpractice issues to securities broker and dealer misconduct allegations. The firm also has defended accountants, attorneys, broker dealers, financial planners, insurance agents, investment advisors, and other professionals. Zelle Hofmann has also handled a number of class actions in these areas.



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## Partners

- Brad E. Brewer
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- Terrence C. McRea
- Christopher R. Paar
- Timothy W. Regan
- Patricia St. Peter
- John C. Steele
- Richard L. Voelbel
- Durwood J. Zaelke
- Lawrence Zelle

## Environmental Law

Zelle Hofmann attorneys have extensive experience in numerous areas of environmental law and environmental litigation, both domestically and internationally. We are staffed with some of the best environmental attorneys and litigators in the country, who focus on promoting clients' businesses, minimizing costs, ensuring compliance, minimizing exposure and managing risk, and, where necessary, winning the case. This knowledge and experience includes environmental enforcement and compliance under U.S., international, and other legal systems' law. Zelle Hofmann attorneys have served on leadership committees and other executive committees in international environmental organizations and in public interest environmental law firms. Specific areas of environmental expertise include litigation matters and matters involving air quality, water quality, solid and hazardous wastes, toxic chemicals, acid rain and acid mine drainage claims, groundwater contamination, underground storage tanks, corrective action and remedial action plans, contribution, agency enforcement actions, global warming, and energy conservation, among numerous other areas. Zelle Hofmann attorneys also have extensive experience in the area of environmental insurance coverage disputes.

Zelle Hofmann's managing partner in Washington D.C., Durwood Zaelke, is the Director of the International Environmental Law Program at the American University law school, and also has taught at Yale Law School, Duke Law School, and Johns Hopkins. He co-founded the Program on Governance for Sustainable Development at the University of California, Santa Barbara's Bren School of Environmental Science & Management, where he serves as a Bren Scholar and Co-Director. In 1989, Mr. Zaelke founded the Center for International Environmental Law ("CIEL"), a premier public interest international environmental firm, in Washington, D.C. and Geneva. He served as President of CIEL until 2003.

Mr. Zaelke is the author of the leading law school textbook entitled *International Environmental Law & Policy* (Foundation Press 2nd ed. 2002) (1,500 pages) (with Hunter & Salzman), which has been used in more than 115 universities around the world. In addition to a *TREATY SUPPLEMENT* (Foundation Press 2002) (380 pages), and *TEACHERS MANUAL* (350 pages), other books by Mr. Zaelke include: Van Dyke, Zaelke & Hewison, eds., *FREEDOM FOR THE SEAS: A NEW LOOK AT OCEAN GOVERNANCE* (Island Press 1993), co-winner of the Smithsonian's 1994 Sprout Award for best book on international environmental affairs; and Zaelke, Housman & Orbach, eds., *TRADE AND THE ENVIRONMENT: LAW, ECONOMICS, AND POLICY* (Island Press 1995), winner of a special award at the 1997 Buenos Aires International Book Fair for its Spanish version, entitled *COMERCIO INTERNACIONAL Y MEDIO AMBIENTE: DERECHO, ECONOMIA Y POLITICA* (Espacio Editorial, Buenos Aires, June 1995) (translation by Eugenia Bec). Other



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publications include Zaelke & Cameron, *Global Warming and Climate Change An Overview of the International Legal Process*, 5 *AM. U. J. INT'L L. & POL'Y* 249 (Winter 1990), selected as one of the best law review articles of the year and reprinted in 22 *LAND USE & ENV'T'L L. REV.* (1991); reprinted in Italian in *FUTURO SOSTENIBILE: EFFETTOSERRA* 36 (1990).

In 2003, Mr. Zaelke published *INDUSTRY GENIUS: INVENTIONS AND PEOPLE PROTECTING THE CLIMATE AND FRAGILE OZONE LAYER* (Greenleaf UK, 2003) (with Dr. Steven O. Andersen). *INDUSTRY GENIUS* presents the inventive genius behind technological breakthroughs by ten global companies, including Honda, Seko-Epson, ST Microelectronics, Trane, and Alcoa Aluminum, and suggests how forward looking companies can pursue sustainable business strategies, avoid potentially costly liabilities, and improve their relations with customers, shareholders, and suppliers.